
STATUTORY INSTRUMENTS

2022 No. 45

The Criminal Procedure (Amendment) Rules 2022

Amendments to the Criminal Procedure Rules

4. In Part 5 (Forms and court records), in rule 5.4 (Duty to make records)—
- (a) renumber paragraph (1)(j)(iv) as (1)(j)(vi);
 - (b) at the end of paragraph (1)(j)(iii) delete “and”; and
 - (c) after paragraph (1)(j)(iii) insert—
 - “(iv) any statement made by the court under section 70(5) of the Proceeds of Crime Act 2002⁽¹⁾ (statement that if the court were not committing the defendant for consideration of a confiscation order then it would have committed the defendant to the Crown Court for sentence for an offence under section 14, 16 or 16A of the Sentencing Act 2020⁽²⁾),
 - (v) any opinion given by the court under section 18(4) or 19(3) of the Sentencing Act 2020 (opinion that if the court were not committing the defendant for sentence under section 18 or 19 of the 2020 Act then it could, or would be required to, commit the defendant to the Crown Court for sentence for the offence under one of sections 14, 15, 16, 16A or 17 of that Act), and”.

(1) 2002 c. 29; section 70 was amended by section 41 of, and paragraph 75 of Schedule 3 to, the Criminal Justice Act 2003 (c. 44), section 410 of, and paragraphs 181 and 195 of Schedule 24 to, the Sentencing Act 2020 (c. 17) and section 46 of, and paragraph 19 of Schedule 13 to, the Counter-Terrorism and Sentencing Act 2021 (c. 11).

(2) 2020 c. 17; section 16A was inserted by section 46 of, and paragraph 26 of Schedule 13 to, the Counter-Terrorism and Sentencing Act 2021 (c. 11).